

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC

v.

BRANCH BANKING AND TRUST CO.

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Case No. 2:12-CV-55-JRG-RSP

ORDER

Before the Court is Plaintiff TQP Development, LLC's ("TQP") "Motion for Voluntary Dismissal with Prejudice of its Action Against Defendant Branch Banking & Trust Company and Dismissal with Prejudice of Defendant's Counterclaims" (Dkt. No. 78). The Magistrate Judge filed a report recommending that the motion be granted and that this action be dismissed with prejudice. (Report and Recommendation, Dkt. No. 140).

After reviewing Defendant's objections to the Report and Recommendation *de novo*, and finding no error therein, the Court finds that the Report and Recommendation should be, and is hereby, ADOPTED. Accordingly, TQP's "Motion for Voluntary Dismissal with Prejudice of its Action Against Defendant Branch Banking & Trust Company and Dismissal with Prejudice of Defendant's Counterclaims" (Dkt. No. 78) is **GRANTED** and it is hereby **ORDERED** this action be **DISMISSED WITH PREJUDICE**.

So ORDERED and SIGNED this 22nd day of September, 2014.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE